

REMARKS

Claims 1-31 are currently pending in the present application. In an Office Action dated May 8, 2003, all claims were rejected. In the present response, Applicants traverse the rejections as follows.

Rejections under 35 U.S.C. 102(e)

Claims 1-4, 6-7, 9-10, 14-15, 18, 20-21, 24-27, and 31 were rejected under 35 U.S.C. 102(e) as being anticipated by Sakakura (U.S. 6,389,423). It was alleged that Sakakura teaches all of Applicants' claim limitations. Applicant respectfully disagrees.

Sakakura teaches a wireless system whereby mobile terminals receive updated information and version numbers corresponding to the updated information. The updates may be sent from a server or from other mobile terminals. However, Sakakura does not teach a mobile terminal transmitting a last received version number from the mobile terminal back to the network controller, as claimed.

None of the cited excerpts in the office action (abstract, col. 2, col. 6, lines 56-62, col. 8, lines 37-67, col. 9, lines 1-5, or col. 14, lines 43-47) describe the feature of a mobile terminal transmitting a last received version number back to the entity that transmitted an update. Applicants can find nothing else within Sakakura that teaches this feature. Therefore, Applicants respectfully request that the rejection under 102(e) be withdrawn.

Rejections under 35 U.S.C. 103(a)

Claims 5, 8, 11-13, 16-17, 19, 22-23, and 28-30 were rejected under 35 U.S.C. 103(a) as being unpatentable over Sakakura in view of LaDue (U.S. patent 6,285,868). It was alleged that Sakakura in combination with LaDue teaches all features of Applicants' claims. Applicants believe that Sakakura does not teach the feature of transmitting a last received version number from a mobile terminal back to a network controller, and further believes that LaDue likewise fails to teach such a feature. Therefore, Applicants assert that the combination of Sakakura and LaDue cannot render Applicants' claims obvious and respectfully requests that the rejections under section 103(a) be withdrawn.

CONCLUSION

Applicants believe that all other claims, being dependent on what Applicant believes to be allowable claims, are allowable. Therefore, the rejections under 35 U.S.C. 102(e), as well as those rejections under 35 U.S.C. 103(a), should be withdrawn. Applicant believes that a complete response has been made to the outstanding office action. If the examiner believes that a personal communication is needed to resolve any outstanding issues, the examiner is invited to call the attorney at the telephone number provided below.

Please charge any fees or overpayments that may be due with this response to Deposit Account No. 17-0026.

Respectfully submitted,

By:  *for* *3080*
Thomas M. Thibault
Attorney for Applicants
Registration No. 42,181

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QUALCOMM Incorporated
5775 Morehouse Drive
San Diego, California 92121
Telephone: (619) 651-2356
Facsimile: (619) 658-2502